

REMARKS

The Office Action dated October 24, 2008 has been received and carefully noted. The following remarks are submitted as a full and complete response thereto.

Claims 1, 11-17, 19, 21-25, and 27-65 are currently pending and are respectfully submitted for consideration.

Reconsideration and withdrawal of the rejections is respectfully requested in light of the following remarks.

Claims 1, 11-17, 19, 21-25, and 27-65 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Mathis (U.S. Patent No. 6,993,327) in view of Sylvain (U.S. Patent Publication No. 2004/0062383), and further in view of Philonenko (U.S. Patent Publication No. 2003/0009530). Particularly, the Office Action asserted that the combination of Mathis, Sylvain, and Philonenko disclosed all of the elements of claims 1, 11-17, 19, 21-25, and 27-65. However, Applicants respectfully traverse this rejection as follows.

In particular, Applicants respectfully submit that the rejection of claims 1, 11-17, 19, 21-25, and 27-65 under 35 U.S.C. § 103 is deficient in light of the submitted Declaration under 35 C.F.R. § 1.131. As indicated in the Declaration, Sylvain was filed on October 1, 2002 and published April 1, 2004. Because the Applicants conceived the claimed invention prior to October 1, 2002, Sylvain is not available as prior art to any aspect of the above-identified application. The Sylvain reference is after the date the

Applicants conceived the claimed invention and, therefore, does not qualify as prior art under 35 U.S.C. § 102 or § 103.

Therefore, Applicants respectfully request that the rejection of claims 1, 11-17, 19, 21-25, and 27-65 be withdrawn and these claims be allowed for at least the reasons stated above.

For at least the reasons discussed above, Applicants respectfully submit that none of the cited references, whether considered alone or in combination, disclose, either expressly, implicitly or inherently, all of the elements of the claimed invention. These distinctions are more than sufficient to render the claimed invention unanticipated and unobvious. It is therefore respectfully requested that all of claims 1, 11-17, 19, 21-25, and 27-65 be allowed, and this application passed to issue.

If for any reason the Examiner determines that the application is not now in condition for allowance, it is respectfully requested that the Examiner contact, by telephone, the applicants' undersigned attorney at the indicated telephone number to arrange for an interview to expedite the disposition of this application.

In the event this paper is not being timely filed, the applicants respectfully petition for an appropriate extension of time. Any fees for such an extension together with any additional fees may be charged to Counsel's Deposit Account 50-2222.

Respectfully submitted,



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Enclosures: Petition for Extension of Time
Declaration Under 37 C.F.R. § 1.131
Invention Report
Check No. 20476